

87-1-231. Tattooing or microchipping of bears, wolves, wolf hybrids, tigers, mountain lions, or coyotes -- when required -- penalty. (1) Any bear, wolf, tiger, mountain lion, or coyote that is ~~captured alive to be later released or which is held in captivity~~ possessed for any purpose must be reported to the department within 3 days of the ~~capture or commencement of captivity~~ possession. If the a person ~~capturing or holding~~ who possesses the animal ~~in captivity such animal~~ fails to report an the animal as required by this section, ~~such~~ that failure is a misdemeanor punishable as provided in 87-1-102.

(2) Each animal reported as required in subsection (1) shall must be permanently tattooed, microchipped, or otherwise permanently identified in a manner that will provide positive individual identification of ~~such~~ the animal. ~~No~~ A tattoo is not required under this section if the animal is subject to a permanent, individual identification process by another state or federal agency. The provisions of Title 87, chapter 4, part 8, apply to a wolf hybrid that is kept in captivity in a roadside menagerie or zoo.

(3) Any person holding a bear, wolf, wolf hybrid, tiger, mountain lion, or coyote in captivity shall immediately report to the department any death, escape, release, transfer of custody, or other change in disposition or location of ~~such~~ the animal.

(4) (a) After [effective date of this act], the ownership, breeding, or sale of a wolf hybrid or crosses of wolf hybrids is prohibited.

(b) A person who owns a wolf hybrid on [the effective date of this act] may keep the wolf hybrid provided all canines with one-half or more wolf parentage meet identification and reporting requirements in Subsection (a) and 87-1-232.

(c) After [effective date of this act] a "wolf hybrid" means any animal produced by crossing a wolf with a dog. This includes subsequent generations of wolf and dog crosses.

History: En. Sec. 1, Ch. 566, L. 1985.

87-1-232. Tattooing Identification records. (1) The department shall maintain a record of each animal reported to it pursuant to 87-1-231. The record shall indicate:

- (a) the person by whom the animal was captured or is held in captivity;
- (b) the location of the capture or captivity;
- (c) the date the animal was tattooed;
- (d) the purpose of the ~~captivity or capture~~ possession of the animal; and
- (e) any death, escape, release, transfer of custody, or other disposition of such animal.

(2) The department shall establish by rule a fee to be charged, which may not exceed the administrative cost of maintaining the record required by this section.

History: En. Sec. 2, Ch. 566, L. 1985.

87-1-233. Compensation for damage caused by animal held in captivity. If any bear, wolf, wolf hybrid, tiger, mountain lion, or coyote that is held in captivity or that escapes from such captivity causes any damage to the personal property of another person, compensation for ~~such~~ the damage must be paid by the person holding or who held the animal in captivity.

History: En. Sec. 3, Ch. 566, L. 1985.

87-1-234. Exceptions to tattoo and compensation requirements. Sections 87-1-231 through 87-1-233 do not apply to those animals:

(1) captured and released as part of an ongoing game management program or an ongoing predator control program unless such animals have been involved in livestock killing; or

(2) captured and released as part of a scientific, educational, or research program as certified by the department.

History: En. Sec. 4, Ch. 566, L. 1985.

House Fish, Wildlife & Parks Committee Hearing
SB 344
March 17, 2009
Testimony of Kathy Gallagher

Dear Members of the House Fish, Wildlife & Parks Committee:

I am opposed to SB 344 for several reasons including:

- 1) The bill is based on the actions of two animals (Tim Feldner of MFWP said there were 300 registered wolf dogs and likely at least that many unregistered).
- 2) The bill provisions do not satisfy the intent of the bill.
- 3) The bill includes provisions that are unenforceable.
- 4) The bill includes provisions that are potentially unconstitutional.
- 5) Adequate laws currently exist to address the intent.
- 6) Breed specific bans do not work.

I previously submitted testimony to all members of the house concerning this bill on February 19, 2009. This testimony updates and expands information provided in the initial testimony.

1) INTENT OF SB 344

Based on explanations by Senator Peterson during the Senate committee and floor readings, the primary intent of this bill is to limit sheep predation by banning wolf hybrids and to provide a mechanism to reimburse stock growers in the event of additional predation. The intent would be accomplished by:

- Expanding the definition of "wolf hybrid" to include any dog the owner claims is part wolf or any dog that through genetic testing is deemed to be a wolf hybrid,
- Requiring registration and tattooing of all existing animals, and killing non-registered animals,
- Declaring that owners are liable for damage, and
- Eliminating wolf hybrids from Montana by banning the breeding and ownership of the animals after the effective date of the legislation.

Montana Fish, Wildlife & Parks (MFWP) Deputy Director, Chris Smith, noted the agency supports the bill because they "have enough on their plates dealing with wolves, they don't have time to deal with wolf hybrids." As you will see, it is unlikely the provisions of this bill will ease MFWP's work load.

The bill is the result of several episodes of sheep predation in Eastern Montana by **two** animals which were killed and their DNA tested. The tests determined the animals were not wolves reintroduced to the Yellowstone ecosystem. One was a pure wolf of genetic make-up that indicated it was bred in captivity. The other was a wolf hybrid.

Origin of the Animals

Deputy Director, Chris Smith testified that the animals must have been released by disillusioned owners. However, Caroline Sime of MFWP noted in a February 28, 2007 article on the agency website:

"no one knows where the animal came from, how it arrived in eastern Montana, or when it arrived. "There were no permanent markings or tattoos on this animal, which are required by law."

I contacted the state government agencies in all states adjacent to Montana to find out their laws regarding wolf dogs. Only one state bans the animals (Wyoming) and only Idaho and South Dakota (besides Montana), requires the tattooing of wolf hybrids. *The animals could have originated from one of our adjoining states or the three Canadian provinces, none of which appear to have laws requiring special identification for wolf dogs.*

I asked each official the same questions including their definition of a wolf hybrid and the basis for the definition, how many hybrids there were in their state, registration requirements, problems associated with the animals, etc. These answers and state regulations are provided in Attachment A.

Livestock Predation

I provided sheep and cattle predation statistics from the USDA National Agricultural Statistics Service (NASS) in my previous letter. Updated sheep predation and non-predation statistics, including 2008 data, are provided in Attachment B. *These statistics clearly show that banning one type of dog will not end predation on sheep by dogs, wolves, or other predators.* The impact of dog and wolf predation is still a small percentage of overall predation (4.3%, 4.1% and 3.9% for dogs in 2006, 2007 and 2008, respectively; and 1.4%, 3.5%, and 3.2% for wolves during the same time period). Coyotes remain the primary predator and non-predator causes of death (including weather and disease) far outweigh predator numbers. Cattle predation statistics were provided in the previous submittal and are included in Attachment B.

Data show that wolf hybrids are not responsible for all dog-related livestock predation. I have attached several articles about domestic and feral dogs killing livestock and wildlife (Attachment C). Many dog owners allow their pets to roam free despite laws prohibiting this action. Dogs are predators by nature, and owners really have no idea what their dogs do while they are not supervised. In southern Idaho dogs killed 100 sheep, goats, and chickens in a series of attacks in 2007. This resulted in the death of one dog and a warning by law enforcement officials for people to contain their dogs. MFWP recognized the problem of free-roaming dogs and cats and issued a brochure addressing impacts to wildlife and birds by domestic animals (Attachment C). It is not my intent to condemn dogs or suggest we ban them from Montana, but rather to show that all types of dogs can be responsible for predation, not just wolf hybrids.

One of the main arguments in support of this bill is that *wolf hybrid owners eventually abandon their dogs*. This is an invalid assumption based on absolutely no evidence.

2) PROVISIONS IN THE BILL ARE UNENFORCEABLE

Genetic Testing

The bill relies heavily on genetic testing requiring “a suitable genetic sample” as well as defining a wolf hybrid as an animal which “has a genetic composition that indicates the captive breeding of a wolf or wolves.” I spoke with both Dyan Straughan of the National Forensics Lab and Dr. Bob Wayne of UCLA, who both analyzed the DNA of the Eastern Montana animal(s).

Dr. Wayne, a chief researcher and developer of the genetic tests, indicated the method has not been published, has not been peer reviewed, and would not hold up in court if challenged. No commercial test is available. Dyan Straughan also noted that if an individual sequence of wolf DNA appears in a tested profile, she has to designate an animal a wolf hybrid. Therefore, if someone’s northern dog had a tiny amount of wolf cross (Alaskan Huskies were often bred with wolf hybrids), the dog would be subject to the definition. This could affect a variety of dogs of malamute and husky cross whose owners have absolutely no idea the dog contains one sequence of wolf DNA. Dogs and wolves already share 99.8% of their DNA. It is my hope the intent of the law and MFWP is not to create a costly witch hunt for huskies.

A paper was recently released (Feb. 5, 2009) in the journal Science which concluded that black wolves and coyotes owe their coloration to a gene mutation carried by dogs and was therefore the result of mating between dogs and wolves or coyotes. One researcher commenting on the paper noted “This is an important paper that among other things should make us revisit and likely revise what we mean by a ‘pure’ species.” When asked about the DNA methods, Dr. Ray Pierotti, a canine researcher at the University of Kansas, responded “I am fully aware of Bob Wayne’s work and I have watched him stretch what he claims he can do beyond anything I consider to be reasonable... Bob has one major problem with his work. That is, he tries to prove that domestic dogs have a single origin and that this means that they are a separate species from wolves. This is sloppy biology and not supported by much evidence.”

Because the genetic testing is not definitive at this time, the law would be unenforceable. While wolf dogs have always been illegal in Alaska, when the state strengthened the wording of the wolf dog ban in the late 1990s, they found it impossible to enforce even for people actively advertising wolf hybrid puppies (which is still occurring). Officials estimated there were thousands of hybrids including pets and sled dogs, and that enforcing the ban was going to tough to do. The officials also noted they have bigger problems than wolf hybrids. A copy of the article is provided in Attachment C.

3) PROVISIONS IN THE BILL ARE POTENTIALLY UNCONSTITUTIONAL

Seizure and Destruction of Unregistered Wolf Dogs

The bill states that “failure to meet the reporting and tattooing requirements shall result in loss of the wolf hybrid at the owner’s expense.” This provision is exceptionally concerning.

John Heggen, Chief Enforcement Officer of the Idaho Fish & Game Dept., indicated they have a very active wolf dog program. Mr. Heggen was surprised by the provision noting he would have to have a compelling reason and a court order to seize an animal. He also noted they prefer to

work with owners of wolf dogs to get them into compliance and they would never consider destruction of an animal for non-reporting. The only animals he has seized were in negligence cases and the dogs were transported to a shelter or sanctuary until suitable owners could be found.

The 4th Amendment of the US Constitution protects individuals from illegal search and seizure of personal property. The 5th and 14th Amendments further protect destruction of personal property without due process. These provisions are echoed in Article II, Sections 3 (Inalienable Rights), 11 (Searches and Seizures) and 17 (Due Process of Law) of the Montana Constitution. The proposed legislation leaves MFWP open for lawsuits with this provision. There is case after case in the law books of people who had a dog seized because it was declared a "dangerous dog," and destruction of the dog was ruled unconstitutional. If the bill is passed with this provision, the cost to defend the actions of overzealous enforcement agents may well be prohibitive.

4) EXISTING LAWS

As noted in my previous letter, there are already adequate laws in Montana to address domestic dog and wolf predation on livestock. Attachment D provides citations and wording of the laws. These include:

- MCA Title 81, Chapter 7 allowing livestock owners to kill dogs harassing livestock (401) and liability of dog owners to reimburse livestock owner for losses (402)
- MCA Title 7, Chapter 23 covering local domestic animal control and protection
- MCA Title 27, Chapter 1 defining liability for vicious dogs

In Gallatin County, outside the municipal areas, dog licenses are not required. However, county ordinance 2003-01-8 requires that all dogs over the age of six months be vaccinated for rabies and "It is unlawful to be an owner of a dog over the age of six months that is not wearing a collar with a tag showing proof thereof."

Ordinance 2003-01-07, cruelty to animals, prohibits "abandoning any animal where it becomes a public charge. The fine is not to exceed \$1,000 for the first offense, but the second offense is a felony."

The Montana Gray Wolf Program July 18, 2008 publication outlines applicable regulations for "experimental populations" which cover the majority of Montana including all of southern Montana and eastern Montana. These regulations allow for the killing of wolves when they are actively harassing livestock or domestic dogs. No permit is required, just notification that a wolf has been killed. A copy of the regulations is provided in Attachment D.

Therefore, *in Montana regulations already exist allowing livestock owners to kill dogs or wolves actively harassing or killing their livestock.* No permit is required.

5) BREED SPECIFIC BANS

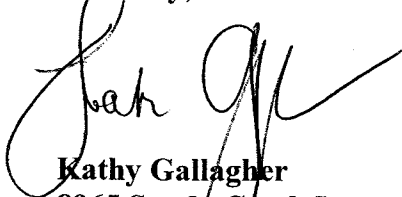
The literature is full of articles on the ineffective nature of breed bans. Most bans are targeted at dogs perceived to be aggressive. Targeting given breeds, or in the wolf hybrid case, types of dogs has been shown to be flawed because it 1) assumes all dogs of a given breed are aggressive by nature; 2) such laws can not be effectively enforced; 3) the laws are extremely costly and 4) it is questionable from a humane perspective. These laws assume certain types of dogs have unfavorable inborn genetic traits and do not take into account factors such as early socialization, training, and the quality of care and supervision by the owner. The legislation to ban pit bulls introduced during this session was based on their perceived danger to humans and it didn't make it out of the committee. I'm all for legislation banning irresponsible dog owners.

The ban on wolf dogs is really just another breed specific ban literally dressed in sheep's clothing. Banning the dogs due to relatively isolated incidents over a short amount of time seems contrary to common sense since these dogs have been regulated in the state for over 20 years. We don't even know if the two animals are from Montana. Deputy Director Chris Smith concluded in his testimony that "the problems associated with owning these animals outweigh the individual prerogative of having a wolf hybrid as a pet." Mrs. McRae, in the Senate committee hearing, indicated there will be "no future loss of animal life if there are no hybrids to prey upon them." The factual information and statistics clearly do not support these conclusions. The assumption by Mr. Smith that banning the dogs would get rid of them in one generation is probably also far from the reality. None of the officials in the adjoining states think they have identified all the wolf dogs, nor do they think that will ever happen. The data show there are no more problems related to wolf dogs than other dogs. I can't find a wolf dog breeder in Montana and have only seen a couple ads in the past five years for wolf dog puppies. The people I have spoken with concerning the bill describe their wolf dogs as "well-loved pets." I would submit that the actions of two dogs should not condemn the entire breed - any breed or type of dog - or place a burden on responsible citizens of the state who own them.

I urge you to kill this bill. If this committee determines additional legislation is required to address dogs with any percentage wolf, I suggest you convene a committee with wolf dog owners/breeders, livestock producers, conservation and animal control representatives to talk about the issues. If serious issues are determined, development of fair, enforceable legislation would make a lot more sense than this unenforceable bill. I know I am counting on my legislator's to make informed, not emotional, decisions. I hope you will consider the information presented.

Thank you for your time.

Sincerely,



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Attachment A

Other State Laws Regarding Wolf Hybrids

Idaho

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1) Laws – It was reported that the law was enacted because of the fear the animals were being released. Relevant laws include:

FISH AND GAME - CHAPTER 7 - CAPTIVE WILDLIFE

36-712. TATTOOING OF WOLVES -- WHEN REQUIRED. (a) Any wolf that is captured alive to be later released or which is born or held in captivity for any purpose must be reported to the department within three (3) days of the capture or commencement of captivity. Any person found guilty of capturing or holding in captivity and failing to report the animal as required in this section, shall be punished by a fine not in excess of one thousand dollars (\$1,000) for each animal the person possesses which has not been reported as required in this section.

(b) Each animal reported as required in subsection (a) of this section shall be permanently tattooed in a manner that will provide positive individual identification of the animal. No tattoo is required under this section if the animal is subject to a permanent individual identification process by another state or federal agency.

(c) Any person holding a wolf in captivity shall immediately report to the department any death, escape, release, transfer of custody or other disposition of the animal.

(d) Any canine exhibiting primary wolf characteristics shall be classified as a wolf for the purpose of identification. All such canines shall be tattooed, registered and licensed by the department of fish and game. The fee for the license shall be as specified in section 36-416, Idaho Code.

Administrative Rules of Idaho **13.01.10-600. WOLVES.**

01. Definitions: Primary Wolf Characteristics.

- a. Eyes shine greenish orange;
- b. Ears rounded and smaller in proportion to those of the coyote;
- c. Snout is broad with nose pad wider than 1 inch;

- d. Legs are long, an adult would stand at approximately twenty-six (26) to thirty-two (32) inches at the shoulder;
- e. Length is four and one-half (4.5) to six (6) feet from the tip of the nose to the tip of tail;
- f. An adult weighs at least eighty (80) pounds;
- g. Tail is carried high or straight out when running;
- h. Fur is long and coarse, varies from white to black but is generally grayish in coloration resembling the coyote. The underparts are not as white and the legs and feet are not as red as those of the coyote.

02. License Application and Tattoos. Any person who obtains or possesses a canine exhibiting primary wolf characteristics or who captures a wolf alive or possesses or obtains a wolf that was born or held in captivity for any purpose must apply for a license for each animal within three (3) days of possession, capture or commencement of captivity.

- a. Application for a license for each animal shall be made on a form prescribed by the Department and must be completed and returned to the Department within two (2) weeks.
- b. Applicants shall have each animal properly tattooed with a three digit number assigned by the Department.
- c. The tattoo shall be placed on the right flank or inside of the right ear by a qualified veterinarian.
- d. The veterinarian shall certify that the animal has been tattooed on the license application.
- e. Young animals do not require tattooing until the age of six (6) months.

03. License.

- a. Upon receipt of the completed application, the applicant will be issued a captive wolf license.
- b. The license fee is ten dollars (\$10).
- c. The license is valid from January 1 through December 31. It shall be renewed annually until the licensee no longer possesses the animal.

2) Laws administered by the Idaho Fish and Game Dept.

3) Definition of wolf hybrid?

“Any canine exhibiting primary wolf characteristics shall be classified as a wolf for the purpose of identification.”

4) Definition developed by? Mr. Heggen does not know.

5) Permitting/Licenses required? Licensing (annual) and tattooing requirements are listed above. Mr. Heggen noted that microchipping is not specified because the law predates the use of microchips.

6) How many issued yearly?

| Captive Wolf Permits | |
|----------------------|-------------|
| YEAR | Number Sold |
| 1996 | 16 |
| 1997 | 11 |
| 1998 | 26 |
| 1999 | 36 |
| 2000 | 11 |
| 2001 | 4 |
| 2002 | 1 |
| 2003 | 38 |
| 2004 | 39 |
| 2005 | 45 |
| 2006 | 43 |
| 2007 | 57 |
| 2008 | 51 |

7) Does the state think all the dogs are licensed? Mr. Heggen does not think all the wolf dogs in state are licensed.

8) How do they handle unlicensed wolf dogs? Idaho Fish and Game does not actively look for unlicensed wolf dogs. However, if a dog with primary wolf characteristics that is not tattooed is reported, they do follow up. If the dog fits the definition, they may issue a citation to the owner for not reporting the dog, but then work with the owner to get them in compliance. He noted they would need a compelling reason to remove an animal and destroy an animal due to failure to register and they would have to get a court order to take a dog away. The dogs that have been removed due to owner's negligence have been taken to a shelter or haven, not killed. He also noted that regardless of anyone's opinion of wolves or wolf hybrids, it isn't Fish and Games intent to look for dogs to kill.

9) Issues associated with the dogs? Mr. Heggen noted that in his five years in this position there has only been one incident with wolf dogs. A dog escaped its enclosure due to improper penning. While they do not know if the wolf dog was responsible, some sheep were attacked nearby and they suspected the wolf hybrid.

10) Previous attempts to ban wolf hybrids in Idaho? Mr. Heggen is unaware of any attempts to ban wolf hybrids in Idaho.

11) Other – Additional applicable Idaho Code:

Section 36

(a) The department shall maintain a record of each animal reported to it, pursuant to section 36-712, Idaho Code. The record shall indicate:

1. The person by whom the animal was captured or is held in captivity;
2. The location of the capture or captivity;
3. The date the animal was tattooed;
4. The purpose of the captivity or capture; and
5. Any death, escape, release, transfer of custody, or other disposition of the animal.

(b) The department shall establish by rule and regulation a fee to be charged, which may not exceed the administrative cost of maintaining the record required under this section. [I.C., subsection 36-713, as added by 1987, ch. 323, subsection 1, p. 678.]

36-714. Compensation for damage caused by animal held in captivity - Exceptions. - (1) If any wolf that is held in captivity or that escapes from such captivity causes any damage to the personal property of another person, compensation for the damage shall be paid by the person holding or who held the animal in captivity.

(2) The provisions of subsection (1) do not apply to those animals captured and released as part of an ongoing game management program, an ongoing predator control program or as part of a scientific, educational or research program as certified by the department unless the animals have been involved in livestock killing. [I.C., subsection 36-714, as added by 1987, ch. 323, subsection 1, p. 678.]

36-715. Duties of the department of fish and game regarding the endangered species act. - (1) Since wolf/dog hybridization's are known to exist within Idaho and these hybrids are not protected by the United States endangered species act, a biological evaluation shall be required of the animal to determine species priority before the department of fish and game may take any action in accordance with the United States endangered species act.

(2) The department of fish and game shall not be authorized to expend funds, transfer assets or enter into a cooperative agreement with any agency, department or entity of the United States government concerning wolves unless expressly authorized by state statute except that the department is authorized to provide a representative to participate on the northern rocky mountain wolf recovery team and to participate in activities regarding nuisance wolves.

(3) If a wolf is sighted, the burden of proof concerning the reported presence of the wolf within Idaho shall rest with the observer and the department of fish and game shall take no action to enforce the United States endangered species act regarding wolves in absence of that proof.

(4) From the effective date of this act through June 1, 1996, the department of fish and game is authorized to work in conjunction with the wolf oversight committee, as established by the wolf EIS participation plan dated February, 1992, in the development and implementation of an Idaho wolf management plan, provided that:

(a) The department is authorized to receive up to fifteen thousand dollars (\$15,000) from the U.S. fish and wildlife service for the sole use in the development of said plan. If additional funding for the development of the plan is required, said funding shall come primarily from federal sources, but may also come from the department's non-game wildlife management fund. Receipt and expenditures of all moneys used in the development of the plan shall be done in coordination with the wolf oversight committee.

(b) Any plan so developed by the department and wolf oversight committee shall take into consideration local economies, custom, culture, and private property rights. The department and the wolf oversight committee may consult with federal entities and coordinate with state and local government entities in the development of the plan.

(c) Upon completion of an Idaho wolf management plan, the department and the wolf oversight committee shall provide a report to the senate resources and environment committee and to the house resources and conservation committee and shall provide written copies to all interested parties. When the plan is complete, the speaker of the house of representatives and the president pro temper of the senate may authorize a joint meeting of the senate resources and environment committee and the house resources and conservation committee to be held during the interim to review the Idaho wolf management plan.

(d) Members of the wolf oversight committee shall serve without compensation, but shall be reimbursed actual expenses for attending meetings of the committee from funds provided by the department of fish and game at prevailing state rates.

North Dakota

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1) Laws currently in effect?

48-12-02.1-10 Housing, Handling and Health Requirements - 4. Wolves and Wolf Hybrids
(see attached)

2) Laws administered by the North Dakota Board of Animal Health with the Non-Traditional Livestock Advisory Council and the ND Game & Fish Dept.

3) Definition – No statute was cited, but Dr. Keller indicated ND considers a canine to be a wolf hybrid if it is declared as part wolf by the owner.

4) Definition developed by the Non- Traditional Livestock Advisory Council who also determined importing and facility (housing and fencing) requirements. Wolf dogs are required to be licensed.

5) License/permit requirements – A health certificate and import permit are required.

6) How many permits issued yearly? - Dr. Keller does not believe there are any at this time.

7) Does the agency believe all the wolf dogs are permitted? No

8) How do they handle wolf dogs that are not permitted? Has not dealt with the issue.

9) Issues associated with the dogs? – None to her knowledge.

10) Previous attempts to ban wolf hybrids in North Dakota? Dr. Keller noted that North Dakota the Board of Animal Health did not support a ban because they felt it would drive the ownership underground and no one would claim they had a wolf hybrid. The state would then not know if there were dogs of concern in the state.

11) Other – Dr. Keller noted the largest livestock issue in ND is deer predation of livestock feed.

**North Dakota
Category 3 Species**

48-12-02.1-01 Housing, Handling & Health Requirements

4. Wolves and Wolf Hybrids

a. Any wolf or wolf hybrid that is in the presence of persons other than the owner, handler, or immediate family must be under direct control and supervision of the owner or handler at all times.

b. Outdoor housing or holding requirements for wolves or wolf hybrids:

1. Minimum floor space per animal must be two hundred square feet and floor space must be increased by one hundred square feet for each additional animal. The enclosure must be at least eight feet high with an additional overhang of fencing angling into the pen or six feet high with a ceiling.

2. The enclosure must be made of steel chain link fencing of at least twelve-gauge strength, or fencing of adequate strength as approved by the state veterinarian, fastened to a cement floor. If a dirt floor is used, underfencing must extend at least forty-two inches into the pen. The underfencing must be covered with adequate layers of dirt, gravel, or other substrate and any holes checked and refilled on a regular basis.

3. Gates must have locks to prevent unauthorized entry of individuals.

4. Shade and shelter from elements and inclement weather must be provided.

5. A perimeter fence meeting the requirements of title 9, Code of Federal Regulations, Sections 3.75, 3.77, and 3.78, must be required if the animal is kept within city limits or other populated areas as determined by the state veterinarian.

c. Importation requirements for wolves and wolf hybrids:

1. A health certificate and import certificate from the board.

2. A statement on the health certificate that the animal has not been exposed to rabies.

3. The animal cannot be imported from an area quarantined for rabies, unless approved by the state veterinarian.

South Dakota

Contact – Mendel Miller DVM
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1) What laws govern wolf hybrids in SD?

<http://legis.state.sd.us/rules/DisplayRule.aspx?Rule=12:68:18> See below

2) Who administers these laws? The South Dakota Animal Industry Board.

3) What is the definition of wolf hybrid? Owner defines or notifies the board that their animal is a wolf hybrid.

4) Why were these laws developed? They were developed along with the other Captive Non-Domestic Animal laws and regulations. (i.e. elk, deer, etc)

5) What type of license is required? License requirements can be found in the above link.

6) How many wolf hybrids are licensed in SD? SD currently permits 9 facilities (including zoos).

7) Do you think you have licensed all of the wolf hybrids in the state? All the animals that our organization knows about are currently licensed.

8) How do you deal with dogs which appear "wolfy"? The owner defines whether it is a wolf hybrid or not. Testing could be required by the rules in the above link.

9) Has SD had any depredation/attack issues by wolf hybrids? I am not aware of any attacks.

10) Have there been attempts to ban wolf hybrids in SD? Possibly, but I am unaware of any attempts to ban wolf hybrids.

South Dakota Laws
Chapter 12:68:18
Non Domestic Animal Control
Sections Specific to Wolf Hybrids

12:68:18:03. Permit required. A permit from the board is required to import nondomestic animals. In addition, a permit as described in § 12:68:18:03.03 is required to possess in South Dakota any nondomestic mammal, or any of its hybrids, listed in this section:

(1) Of the order Carnivora, all nondomestic members of the following families:

- (a) Felidae;
- (b) Canidae;
- (c) Ursidae;
- (d) Mustelidae; and
- (e) Hyaenidae;

12:68:18:03.03. Types of permits -- Fees. The board shall issue the following permits to persons who meet the requirements of this chapter and pay the required fee:

(1) Entry permit (no fee) - a permit allowing importation of captive nondomestic animals into South Dakota which may be granted by telephone;

(2) Temporary permit (\$10) - a permit issued to an individual to possess for not more than 14 days a captive nondomestic mammal specifically prohibited in § 12:68:18:03.01 or restricted in § 12:68:18:03.02;

(3) Grandfather permit (\$10 an animal to a maximum of \$100) - a permit issued to an individual who possesses before December 31, 1993, mammals prohibited in § 12:68:18:03.01 or restricted in § 12:68:18:03.02;

(4) Dealer auction permit (\$100) - an annual permit issued to an individual or a group solely for the purpose of brokering, leasing, purchasing, or selling mammals listed in this chapter whether or not a fee or other compensation is charged for such services;

(5) Possession permit (\$10 an animal to a maximum of \$100) - a permit issued for the possession of mammals listed in this chapter for any reason other than the conditions described in subdivisions (2), (3), and (4) of this section;

(6) Zoo permit (\$10 an animal to a maximum of \$100) - a permit issued to nonprofit exhibitors of nondomestic mammals. A zoo permit allows the possession of any class of nondomestic mammals. The board may approve the permit if it determines that facilities are adequate for confinement.

12:68:18:03.04. Application for permit. The board shall provide application forms for all permits required by this chapter. An application must be submitted to the board before the applicant may possess any of the mammals listed in § 12:68:18:03. The permit application must contain all information required in § 12:68:18:06. The board shall issue the permit if the following requirements are met:

- (1) The required fees are received;
- (2) Grounds for denial as listed in § 12:68:18:09 do not exist; and
- (3) The board determines that the facilities and procedures as described in the application are adequate for compliance with this chapter and to provide for the safety of other animals and humans.

12:68:18:03.05. Release of permitted animal to the wild prohibited. An animal possessed under authority of a permit issued under this chapter may not be released to the wild.

12:68:18:03.06. Escapes. An animal possessed under authority of a permit issued under this chapter must be continuously maintained within the confines of the permitted facility. The following procedures apply to animals that escape:

(1) If an animal governed by this chapter escapes or otherwise exits the confines of the facility and is found to be free-roaming, the permittee must immediately notify the board;

(2) An animal that escapes is immediately eligible for impoundment or destruction by the board in cooperation with the Department of Game, Fish and Parks;

(3) An animal that escapes is the property of the board, and the board shall determine the most expedient disposition of the impounded animal. Disposition may include return to the permittee or transfer to the Department of Game, Fish and Parks; and

(4) Expenses incurred in the capture, impoundment, care of, and transfer of ownership of escaped animals at the time of escape are the permittee's responsibility. The permittee must pay such costs to the board before the board issues or renews any permits covered by this chapter.

12:68:18:03.08. Testing for purity of species. At the request of the board, a person possessing an animal by permit under this chapter must present the animal in a confined area, individually restrained, for identification and testing for purity of species. Testing for purity may include all animals permitted or a percentage, as determined by the board in consultation with the Department of Game, Fish and Parks.

12:68:18:06. Annual application required. A person possessing captive nondomestic mammals listed in §§ 12:68:18:03 to 12:68:18:03.02, inclusive, must apply for a permit for captive nondomestic animals annually from the board by January 1.

The permit application shall include the following information:

(1) The applicant's name, mailing address, and phone number;

(2) The legal description of the premises where the animals are held;

(3) An inventory by species, age, and sex of all mammals covered by this permit at application time;

(4) A listing of all mammals added to the premises within the past 12 months, including birth additions, and of all disappearances of mammals within the past 12 months, including purchases, sales, leases, gifts, deaths, and escapes. The list must include individual identification of all such mammals by either legible tattoo or eartag as defined in § 12:68:18:07, by a similar tag, or by electronic means; and

(5) A description of facilities used for confining mammals for such purposes as testing and identification.

12:68:18:07. Reporting requirements. A permit holder under § 12:68:18:06 must maintain records of all additions and disappearances of animals covered by the permit requirements. All such records must be made available to the board at the request of the board. The records must include the individual identification by legible tattoo or official eartag as defined in 9 C.F.R. § 71.1 (January 1, 2007), by a similar tag, or by electronic means and the name and address of all parties involved in transactions of sale, purchase, lease, loan, gift, or translocation.

Disappearances by death or escape and any diseased animal must be reported to the board by telephone or in writing immediately. The permittee must have any animals that die autopsied at the official diagnostic laboratory for the board if requested to do so by the board. The permittee is responsible for all expenses of transporting the animals to the laboratory.

Wyoming

Contact – Eric Keszler, Assistant Division Chief

Information and Education

Wyoming Game and Fish Department

5400 Bishop Boulevard

Cheyenne, WY 82006

phone: 307-777-4594

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Eric.Keszler@wgf.state.wy.us

- 1) **Laws currently in effect?** Wyoming statute §23-1-103 states: “There shall be no private ownership of live animals classified in this act as big or trophy game animals or of any wolf or wolf hybrid.”
- 2) **Laws administered by the Wyoming Game and Fish Dept.**
- 3) **Definition of wolf hybrid?** “Wolf hybrid” means any animal produced by crossing a wolf with a dog or other species or subspecies. From Chapter 10 – Regulation for importation, possession, confined, transportation, sale, and disposition of live wildlife - Section 4 - definitions (rr).
- 4) **Definition developed by?** Did not know.
- 5) **Permitting/Licenses required?** N/A
- 6) **How many issued yearly?** N/A
- 7) **Does the state think any wolf dogs exist illegally in the state?** Mr. Keszler could not supply a response to this question.
- 8) **How does the WG&F deal with suspected wolf hybrids?** Mr. Keszler could not supply a response to this question.
- 9) **Issues associated with wolf hybrids?** N/A
- 10) **Other**

Other States and Provinces

Utah – There is no state control of wolf dogs. They can be banned locally and importation of pure wolves require a federal permit.

Oregon – Oregon regulates wolf dogs under domestic dog rules. In 2001 the state legislature tried to include wolf hybrids in the definition of predatory animal allowing them to be poisoned, trapped or shot without normal regard to due process. The bill passed both bodies of the legislature but was vetoed by the Governor, as follows:

June 29, 2001
The Honorable Mark Simmons
Speaker of the House H-269
State Capitol
Salem, OR 97301

Dear Speaker Simmons:

I am returning herewith House Bill 3363-A, unsigned and disapproved.

HB 3363-A would amend ORS 610, to include "wolf hybrids" among a list of predators that may be destructive to agricultural crops, products and activities. In early June, I indicated concern about this proposal because there is little evidence of a current problem to address or the likelihood of one emerging. In any event, if specific problems were to develop, adequate measures exist now to address them. ORS 609 provides Oregon's counties with the ability to legally authorize capture or taking of wolf hybrids as dogs when shown to kill, injure or chase livestock. This provides a sufficient tool applied at the local level to specific fact situations.

Many Oregonians have wolf hybrids as pets. This legislation would give Oregonians permission to kill someone's pet. HB3363-A also may create a liability under the federal Endangered Species Act for local landowners who kill, albeit in rare future circumstances, a wolf thinking it's a hybrid, resulting in a "take" of a federally listed species.

HB 3363-A is an unnecessary solution looking for a problem. I believe the tools in place today are adequate to deal with problem wolf hybrids, without placing Oregonians at higher risk of needlessly killing someone's wolf hybrid pet or a federally listed species.

Sincerely,
John A. Kitzhaber, M.D.

(Governor of the State of Oregon)

California – Wolves and first generation hybrids are restricted from possession.

Colorado – The Colorado legislature attempted to ban wolf hybrid dogs during the 1997 legislative session (SB 167). The ban was in response to a woman who was killed by two dogs under her care that were apparently not fed for over two weeks. The legislature did not pass the bill and there are currently no state-wide regulations for wolf dogs. A letter from Dr. Stephanie Porter is provided. Wolf dogs are considered domestic dogs and treated accordingly. Captive wolves are covered by licensing, facility and identification requirements as presented below:

2 CCR 406-8 | NONGAME AND UNREGULATED WILDLIFE, PARKS, LICENSES AND REHABILITATION (CHAPTERS 10 TO 14)

D. Except as provided in subsection E, all facilities licensed to hold captive Ursidae (bears), Canidae (**wolves**), or Felidae (cats) shall be designed and maintained to meet the following requirements:

2 CCR 406-8 | NONGAME AND UNREGULATED WILDLIFE, PARKS, LICENSES AND REHABILITATION (CHAPTERS 10 TO 14)

b. Large canids (**wolves**, coyotes)

2 CCR 406-8 | NONGAME AND UNREGULATED WILDLIFE, PARKS, LICENSES AND REHABILITATION (CHAPTERS 10 TO 14)

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2 CCR 406-8 | NONGAME AND UNREGULATED WILDLIFE, PARKS, LICENSES AND REHABILITATION (CHAPTERS 10 TO 14)

b. Large canids (**wolves**, coyotes)

Dr. Stephanie Porter's letter to Colorado Senators.

Dear Senator,

I am writing to you with some information that is vital to Senate Bill 167. I have a Ph.D. in molecular genetics and have been involved in the wolf hybrid community for several years. Though I do not own a wolf hybrid, I know many owners both here in Colorado and across the country. I also have a wealth of information about wolf hybrids, including information that needs to be corrected in SB167. I hope you will take a few minutes to review my points below.

1. The bill contains inaccurate information about the number of people documented to be killed by wolf hybrids every year. The following numbers come from peer-reviewed scientific journals and summarize all documented dog-related fatalities. You can see from the numbers that wolf hybrids cause a small fraction of dog-related fatalities in the United States:

| Breeds involved in dog bite-related fatalities 1979-1994: | | |
|--|-------------------------|--------------------------------------|
| Breed | Total fatalities | People killed per year (avg.) |
| Pit Bull and crosses | 67 | 4.2 |
| Rottweiler and crosses | 21 | 1.3 |
| Shepherd and crosses | 26 | 1.6 |

| Breeds involved in dog bite-related fatalities 1979-1994: | | |
|--|----|------|
| Husky and crosses | 18 | 1.1 |
| Malamute and crosses | 15 | 0.9 |
| Wolf hybrid | 12 | 0.75 |
| Doberman | 8 | 0.5 |
| Chow and crosses | 8 | 0.5 |
| Great Dane | 5 | 0.3 |
| St. Bernard | 4 | 0.25 |
| Akita | 4 | 0.25 |

These numbers were compiled from the following scientific references summarizing work done at the Centers for Disease Control:

J. J. Sacks, R. Lockwood, J. Hornreich, R. W. Sattin Fatal Dog attacks, 1989-1994 Pediatrics (1996) 97:891-895

J. J. Sacks, R. W. Sattin and S. E. Bonzo Dog bite-related fatalities from 1979 through 1988, JAMA (1989) 262:1489-1492

Cliff Mortimer has gone further with these numbers, and done calculations that take into account the estimated numbers of individual animals per breed. These calculations show that wolf hybrids kill FEWER people than most of the dog breeds shown above. I will be happy to forward these calculations to the committee as well.

2. My understanding is that the SB167 was introduced due to the tragic incident in Colorado Springs where a woman was killed by two dogs reported to be wolf hybrids. In a phone conversation with Darlene Kobobel I was informed that the county autopsy found that these dogs had not been fed for TWO WEEKS. In addition the owners had been cited multiple times for violations, including allowing the dogs to run free and chase livestock. The owners were ordered to remove the animals from the county which they did not do. Why did the county allow this situation to escalate into a death? This was not a wolf hybrid problem, it was a problem with irresponsible ownership. There is no wolf hybrid problem in Colorado. Probably thousands of people are successfully keeping wolf hybrids as companion animals. Wolf Canyon Mushers in Eagle, Colorado takes people on sleddog rides. All of the sleddogs are wolf hybrids and they are all friendly, obedient, and loved by the customers.

3. Regulating wolf hybrids brings a nightmare of legal issues. The number one issue is that wolves and dogs are the same species. Dogs have been reclassified by the International Society of Mammologists as a subspecies of wolf, so are now called *Canis lupus familiaris*. As a result, no scientific inquiry has been able to find reliable DNA markers that can distinguish a wolf from a dog, particularly if the dog is one not far in time from its wolf ancestry, such as a malamute or german shepherd. Since there is no independent test that can tell a wolf hybrid from a dog, how can any legislation be enforced? I have spoken with Dr. Ray Pierotti at Kansas State University,

who is an expert in wolf and dog genetics. He thinks there will never be reliable genetic markers that can be used to legally detect a wolf hybrid as distinguished from a northern breed dog. Thus, enforcement of wolf hybrid legislation would depend on highly subjective opinion. All identifications made by the state or a county will be subject to court challenge. In some states wolf hybrid bans have been declared unconstitutional based on the inability to distinguish them from northern breed dogs. How can the state regulate something they can't identify?

4. If a permit system is instituted in the state of Colorado, most breeders and owners will suddenly have "husky mixes" instead of "wolf hybrids". If there is a ban it will fail to protect people for the following reasons:

- Prohibition does not work well in the United States. Monty Sloan of Wolf Park reports that in states that have banned the ownership of wolf hybrids, their existence, breeding and importation have not been affected.
- A ban will make it impossible for owners to become educated about their animals. Owners will not be able to take their animals to obedience classes or get training from dog trainers. This could lead to significantly MORE bite and attack incidents since owners will not have access to extremely valuable positive influences or the knowledge to properly train and socialize their animals.
- If a ban is in effect, owners will be much less likely to take their animals for veterinary care. This means that the state of Colorado will be creating a pool of unvaccinated animals that could greatly increase the threat to public and animal health, for instance through a greater likelihood of rabies outbreaks.
- Responsible breeders might close down their operations but irresponsible breeders would continue "underground". This means that the general quality of the animals purchased in Colorado would be decreased since responsible breeders do not sell animals with aggression problems, but irresponsible breeders would not hesitate to sell problem animals. Additionally, responsible breeders educate their clients and refuse to sell to people that are not equipped to handle their new charges. Irresponsible breeders are only interested in making money, so will sell an animal to anyone that can pay. Thus, a ban in Colorado would likely lead to an increase of poorly bred wolf hybrids and less educated owners, a very bad combination.

5. What is an alternative to breed-specific legislation?

A much more rational approach to decreasing public health hazard due to dog attacks in Colorado is the institution of a dangerous dog law that is non-breed specific. Since scientific evidence shows that many breeds of dog have a higher likelihood of killing than wolf hybrids (see above information on dog attacks), the problem is a GENERAL problem of canine attacks, not specific to wolf hybrids. It makes no sense to legislate against specific types of dogs. In fact a recent study done in England found that making three breeds of dogs illegal (Pit Bulls, Rottweilers, and Dobermans) did NOT decrease the number or severity of dog bites that occurred (Injury 1996 Vol. 27:89-91). A dangerous dog act that is not breed specific would put the blame squarely on those who deserve it, the irresponsible owners who do not train or socialize their dogs, or who even encourage aggression in their dogs. In this way, responsible people that have well trained, well socialized wolf hybrids as companion animals would not be punished for the acts of irresponsible owners. Besides a dangerous dog act, education is the most

important way to prevent tragedies like the Colorado Springs incident. If people involved in the wolf hybrid community were asked to provide educational lectures in their counties about the responsibilities of wolf hybrid ownership, many people would be prevented from buying a hybrid inappropriately. A combination of public education about wolf hybrids plus a non-breed specific dangerous dog act that would take dogs out of the hands of people who are creating killer canines, would greatly improve the safety of all Colorado residents.

I apologize for the length of this letter, but I felt that these points should all be addressed by the Senate Committee if public health in Colorado is really the issue. I have a large amount of documentation about the above issues that I could not include for the sake of brevity, but would be happy to provide to the Senate Committee. If SB167 is indeed passed, I would request that the public be informed of the reasoning behind the vote. In addition, I request to be on the advisory committee. I am well educated in the issues and I feel that the committee could profit from having someone with scientific training on it. Further, I can suggest several other people for membership on the committee who are well versed in the issues presented above.

Thank you very much for your time,

Dr. Stephanie Porter

E-mail: (Stephanie.Porter@UCHSC.edu)

Attachment B

Updated Sheep Predation and Non-Predation Statistics

SHEEP AND LAMB LOSSES
Total By Predator Cause and Number of Head, Montana, USA

Last updated February 18, 2009

| PREDATOR | | | | | | | | | | |
|----------------|-------|-------|--------|-------|--------|-------|---------------|------|---------------|-----------------|
| Year | Fox | Dog | Coyote | Eagle | Bobcat | Bear | Mountain Lion | Wolf | Other Animals | Total Predators |
| Number of Head | | | | | | | | | | |
| 2008 | 1,300 | 600 | 10,200 | 900 | 100 | 800 | 400 | 500 | -- | 15,200 |
| 2007 | 1,100 | 700 | 11,700 | 800 | -- | 700 | 400 | 600 | -- | 17,000 |
| 2006 | 700 | 600 | 10,100 | 1,100 | -- | 500 | 500 | 200 | -- | 14,100 |
| 2005 | 1,100 | 500 | 8,500 | 900 | -- | 400 | 200 | 300 | 100 | 12,400 |
| 2004 | 700 | 700 | 9,200 | 700 | -- | 900 | 500 | 500 | 100 | 13,700 |
| 2003 | 1,000 | 1,000 | 11,800 | 1,200 | -- | 800 | 400 | 500 | 100 | 17,700 |
| 2002 | 1,300 | 1,000 | 13,900 | 1,600 | 300 | 600 | 700 | 500 | 400 | 21,400 |
| 2001 | 900 | 1,100 | 14,300 | 1,600 | 100 | 500 | 400 | -- | -- | 19,900 |
| 2000 | 1,000 | 1,300 | 12,900 | 1,600 | -- | 900 | 400 | -- | 100 | 18,900 |
| 1999 | 1,200 | 600 | 15,100 | 1,700 | -- | 400 | 400 | -- | -- | 20,300 |
| 1998 | 2,000 | 1,200 | 14,900 | 2,000 | -- | 300 | 600 | -- | 100 | 21,800 |
| 1997 | 2,200 | 1,000 | 19,900 | 2,400 | 100 | 400 | 500 | -- | -- | 27,000 |
| 1996 | 2,700 | 1,400 | 22,600 | 2,200 | 200 | 800 | 500 | -- | -- | 31,200 |
| 1995 | 3,400 | 1,600 | 28,000 | 2,700 | -- | 300 | 500 | -- | -- | 37,100 |
| 1994 | 6,000 | 1,000 | 28,500 | 5,300 | 300 | 600 | 1,000 | -- | 200 | 42,900 |
| 1993 | 3,300 | 1,700 | 30,700 | 2,500 | 200 | 700 | 1,000 | -- | 100 | 40,200 |
| 1992 | 5,000 | 1,800 | 31,100 | 1,900 | -- | 800 | 600 | -- | -- | 41,200 |
| 1991 | 4,900 | 3,500 | 33,700 | 1,300 | 100 | 600 | 600 | -- | 200 | 44,900 |
| 1990 | 4,000 | 1,600 | 29,700 | 2,200 | -- | 700 | 600 | -- | 300 | 39,100 |
| 1989 | 3,500 | 1,500 | 28,200 | 800 | 400 | 1,000 | 500 | -- | -- | 35,900 |
| 1988 | 4,200 | 3,100 | 31,000 | 2,700 | 300 | 1,300 | 400 | -- | 100 | 43,100 |
| 1987 | 2,900 | 3,100 | 26,400 | 2,700 | 100 | 1,200 | 300 | -- | 200 | 36,900 |
| 1986 | 5,100 | 2,900 | 30,500 | 2,000 | 100 | 1,100 | 400 | -- | 1/ | 42,100 |
| 1985 | 4,300 | 1,500 | 41,600 | 2,500 | 100 | 1,400 | 300 | -- | 1/ | 51,700 |
| 1984 | 6,200 | 2,100 | 38,300 | 2,500 | 200 | 1,400 | 1/ | -- | 1,000 | 51,700 |

1/ Category not available that year. -- Denotes less than 100 head. Please note: Totals may not add due to rounding.

Last updated February 18, 2009

1/Category not available that year. -- Denotes less than 100 head. Please note: Totals may not add due to rounding.

SHEEP AND LAMB LOSSES
Total By Predator Cause and Value in Dollars, Montana, USA

Last updated February 18, 2009

| PREDATOR | | | | | | | | | | | |
|---------------|-------|-------|---------|-------|--------|------|---------------|------|---------------|-------------------|-----------------|
| Year | Fox | Dog | Coyote | Eagle | Bobcat | Bear | Mountain Lion | Wolf | Other Animals | Unknown Predators | Total Predators |
| (000) Dollars | | | | | | | | | | | |
| 2008 | 78.0 | 46.6 | 712.7 | 54.0 | 6.0 | 63.9 | 34.6 | 40.6 | -- | 34.6 | 1,071.0 |
| 2007 | 66.7 | 60.2 | 821.9 | 48.5 | -- | 66.2 | 30.2 | 48.2 | -- | 72.5 | 1,214.4 |
| 2006 | 42.8 | 43.7 | 743.8 | 67.3 | -- | 51.5 | 44.6 | 19.2 | -- | 31.5 | 1,044.4 |
| 2005 | 89.4 | 52.3 | 745.8 | 67.0 | -- | 44.9 | 14.9 | 37.4 | 7.4 | 37.3 | 1,096.4 |
| 2004 | 47.0 | 72.2 | 712.4 | 47.0 | -- | 91.9 | 33.6 | 52.4 | 6.7 | 39.4 | 1,102.6 |
| 2003 | 61.8 | 94.9 | 845.2 | 79.7 | -- | 66.0 | 30.2 | 47.5 | 6.2 | 77.7 | 1,309.2 |
| 2002 | 66.8 | 69.1 | 786.8 | 79.7 | 18.6 | 41.5 | 42.1 | 36.6 | 27.6 | 65.5 | 1,236.0 |
| 2001 | 32.3 | 61.5 | 605.7 | 61.8 | 3.6 | 26.8 | 18.8 | -- | -- | 40.3 | 850.8 |
| 2000 | 50.7 | 90.1 | 730.6 | 81.1 | -- | 61.8 | 24.3 | -- | 5.1 | 35.5 | 1,079.1 |
| 1999 | 55.3 | 40.2 | 813.2 | 82.5 | -- | 26.8 | 26.8 | -- | -- | 49.9 | 1,094.7 |
| 1998 | 91.8 | 70.4 | 759.0 | 91.8 | -- | 16.7 | 40.4 | -- | 4.4 | 30.9 | 1,105.5 |
| 1997 | 129.1 | 74.8 | 1,308.9 | 144.9 | 5.9 | 31.5 | 41.4 | -- | -- | 33.4 | 1,769.8 |
| 1996 | 151.5 | 92.3 | 1,373.0 | 128.1 | 14.9 | 55.5 | 35.2 | -- | -- | 51.6 | 1,902.1 |
| 1995 | 166.1 | 101.4 | 1,513.4 | 138.5 | -- | 18.0 | 31.1 | -- | -- | 32.6 | 2,001.0 |
| 1994 | 244.1 | 53.1 | 1,276.1 | 216.0 | 17.2 | 29.3 | 50.6 | -- | 10.6 | -- | 1,897.0 |
| 1993 | 131.5 | 78.7 | 1,352.1 | 102.7 | 10.3 | 39.6 | 48.9 | -- | 3.9 | -- | 1,767.7 |
| 1992 | 171.8 | 81.3 | 1,211.9 | 65.9 | -- | 34.7 | 28.0 | -- | -- | -- | 1,593.6 |
| 1991 | 140.4 | 162.0 | 1,186.8 | 39.6 | 2.8 | 26.4 | 20.0 | -- | 12.0 | -- | 1,590.0 |
| 1990 | 120.7 | 74.6 | 1,148.0 | 68.5 | -- | 39.1 | 22.1 | -- | 18.1 | -- | 1,491.1 |
| 1989 | 161.3 | 107.9 | 1,539.1 | 40.4 | 17.9 | 67.4 | 22.4 | -- | -- | -- | 1,956.4 |
| 1988 | 223.4 | 249.7 | 1,769.0 | 137.3 | 19.3 | 97.5 | 18.8 | -- | 4.7 | -- | 2,519.7 |
| 1987 | 167.1 | 204.7 | 1,617.9 | 155.7 | 5.7 | 81.2 | 17.0 | -- | 11.3 | -- | 2,260.6 |
| 1986 | 241.4 | 145.1 | 1,488.3 | 93.2 | 4.7 | 58.7 | 19.9 | -- | 1/ | -- | 2,051.1 |
| 1985 | 198.3 | 76.1 | 1,988.6 | 114.8 | 4.6 | 72.4 | 14.7 | -- | 1/ | -- | 2,469.5 |
| 1984 | 265.8 | 94.2 | 1,689.2 | 106.9 | 8.6 | 64.2 | 1/ | -- | 46.5 | -- | 2,275.4 |

1/ Category not available for that year. -- Not published. Please note: Totals may not add due to rounding.

SHEEP AND LAMB LOSSES
Total By Non-Predator Cause and Value in Dollars, Montana, USA

Last updated February 19, 2009

| NON-PREDATOR | | | | | | | | | | | |
|---------------|-----------------------|---------|--------|-------------------------------|------------|------------|-------|---------|---------------------------|------------------------|---------------|
| Year | Weather Conditions | Disease | Poison | Lambing Complic- ations | On Back | Old Age | Theft | Other | Total Non- Predator | Un- known Causes | Total Loss |
| (000) Dollars | | | | | | | | | | | |
| 2008 | 822.5 | 414.1 | 69.2 | 389.7 | 51.2 | 372.9 | 24.0 | 117.2 | 2,260.8 | 410.2 | 6,742.0 |
| 2007 | 441.9 | 639.0 | 114.3 | 471.4 | 72.0 | 360.0 | 6.1 | 84.6 | 2,189.3 | 458.0 | 3,861.7 |
| 2006 | 723.6 | 515.6 | 146.8 | 447.5 | 71.6 | 393.0 | 37.6 | 118.0 | 2,453.7 | 600.3 | 4,098.4 |
| 2005 | 550.9 | 686.6 | 164.5 | 522.2 | 97.4 | 495.0 | 44.9 | 193.9 | 2,755.6 | 477.6 | 4,329.6 |
| 2004 | 394.3 | 815.6 | 91.9 | 404.2 | 58.7 | 442.0 | -- | 99.5 | 2,306.2 | 364.3 | 3,773.1 |
| 2003 | 422.5 | 622.7 | 101.1 | 608.8 | 99.8 | 432.9 | 131.3 | 188.9 | 2,608.0 | 605.7 | 4,522.9 |
| 2002 | 725.1 | 453.0 | 105.7 | 451.7 | 67.8 | 225.0 | 55.9 | 294.0 | 2,378.2 | 366.6 | 3,980.8 |
| 2001 | 350.7 | 473.8 | 105.9 | 344.9 | 96.0 | 400.0 | 41.9 | 167.2 | 1,980.6 | 375.0 | 3,206.4 |
| 2000 | 371.0 | 590.6 | 144.7 | 462.9 | 118.3 | 518.7 | 28.3 | 188.5 | 2,423.1 | 609.7 | 4,111.9 |
| 1999 | 438.2 | 701.3 | 111.0 | 372.4 | 88.0 | 343.2 | 80.4 | 64.1 | 2,198.8 | 410.2 | 3,703.7 |
| 1998 | 511.3 | 515.2 | 114.3 | 463.9 | 79.0 | 387.1 | 41.4 | 77.6 | 2,189.8 | 360.2 | 3,655.5 |
| 1997 | 1,823.7 | 578.7 | 124.3 | 417.7 | 79.2 | 405.9 | 108.5 | 60.9 | 3,598.9 | 627.1 | 5,995.8 |
| 1996 | 855.5 | 437.0 | 94.7 | 404.0 | 112.8 | 423.0 | 154.8 | 125.1 | 2,606.9 | 853.9 | 5,362.9 |
| 1995 | 751.5 | 581.2 | 142.5 | 453.4 | 98.4 | 467.4 | 130.8 | 195.9 | 2,821.2 | 500.1 | 5,322.3 |
| 1994 | 524.0 | 747.9 | 124.6 | 466.8 | 122.8 | 429.0 | 134.8 | 100.0 | 2,649.9 | 386.6 | 4,933.5 |
| 1993 | 501.1 | 611.9 | 131.4 | 682.5 | 183.2 | 450.9 | 158.4 | 172.5 | 2,891.8 | 418.8 | 5,078.2 |
| 1992 | 441.7 | 505.7 | 98.6 | 646.2 | 132.7 | 378.0 | 117.9 | 375.2 | 2,696.0 | 374.6 | 4,664.1 |
| 1991 | 742.8 | 530.8 | 127.2 | 818.4 | 146.4 | 438.0 | 159.6 | 216.4 | 3,179.6 | 550.4 | 5,320.0 |
| 1990 | 680.8 | 608.5 | 154.6 | 789.1 | 185.3 | 699.2 | 110.1 | 358.5 | 3,586.1 | 659.8 | 5,737.0 |
| 1989 | 1,161.3 | 727.1 | 175.3 | 928.7 | 225.0 | 346.8 | 220.1 | 480.6 | 4,264.8 | 1,405.0 | 7,626.2 |
| 1988 | 950.1 | 1,002.6 | 237.8 | 729.6 | 291.8 | 312.1 | 433.3 | 1,158.0 | 5,115.3 | 1,386.6 | 9,021.6 |
| 1987 | 981.9 | 1,053.9 | 342.8 | 859.6 | 296.2 | 473.5 | 377.6 | 440.0 | 4,825.4 | 1,343.0 | 8,428.9 |
| 1986 | 888.4 | 795.2 | 253.7 | 432.4 | 192.2 | 366.6 | 202.2 | 307.2 | 3,437.9 | 920.0 | 6,409.1 |
| 1985 | 665.4 | 554.1 | 181.6 | 559.0 | 169.6 | 151.1 | 256.8 | 167.0 | 2,704.6 | 776.1 | 5,950.2 |
| 1984 | 3,280.0 | 428.7 | 105.8 | 468.2 | 107.2 | 68.0 | 150.6 | 239.1 | 4,847.6 | 743.0 | 7,866.0 |

1/ Category not available for that year. -- Not published. Please note: Totals may not add due to rounding.

1/ Category not available for that year. -- Not published. Please note: Totals may not add due to rounding.

2005 Montana and United States Cattle Predator Losses

Released: May 5, 2006

For more information contact: Thomas Chard or Peggy Stringer at 1-800-835-2612.

Montana cattle producers lost 20,000 head of cattle, weighing 500 lbs or more, and 46,000 calves, weighing less than 500 lbs, to all causes during 2005. A special report released every five years details the types of cattle and calf losses and the value of the losses. During 2005, 600 head of cattle, weighing 500 lbs or more and 2,400 calves, weighing less than 500 pounds were lost to predators. The total value of the cattle and calves lost to predators was estimated to be \$1.671 million dollars with the value of calves lost at \$994,000. Coyotes were the largest single cause of calf losses with 1,300 calves lost during 2005.

A total of 19,400 cattle and 43,600 calves were lost in Montana due to non-predators. The value of non-predator losses was \$40.0 million. The value of cattle losses were \$21.9 million and calf losses amounted to \$18.1 million. The leading causes of non-predator cattle losses were unknown, 4,200 head; other, 3,500 head; and respiratory with 3,100 head. The leading causes of calf losses were calving problems, 11,300 head; weather related, 10,200 head; and respiratory with 7,800 head.

The use of non-lethal predator control practices were published in this report. The percentage of Montana cattle producers utilizing the following non-lethal predator practices are:

- Guard Animals - 21.8%
- Predator Exclusion Fencing - 21.1%
- Herding of animals - 9.6%
- Night Penning of cattle - 9.9%
- Frequent checks - 31.4%
- Fright Tactics - 7.8%
- Carcass Removal - 18.5%
- Culling - 31.7%
- Other non-lethal methods - 11.7%

Cattle and calf losses from animal predators and non-predator causes in the United States totaled 4.05 million head (excluding Alaska). This report provides detailed breakouts of cattle and calf losses by predators and non-predator causes, as well as data on non-lethal predator control measures.

Cattle and calf losses from animal predators totaled 190,000 head. This represented 4.7 percent of the total losses from all causes and resulted in a loss of \$92.7 million to farmers and ranchers. Coyotes and dogs caused the majority of cattle and calf losses accounting for 51.1 percent and 11.5 percent respectively.

Cattle and calf losses from non-predator causes totaled 3.86 million head or 95.3 percent of the total losses. Respiratory problems was the leading cause of non-predator deaths accounting for 28.7 percent, followed by digestive problems at 16.8 percent.

Farmers and ranchers throughout the United States spent 199.1 million dollars on non-lethal methods to control predators. Use of guard animals was the most common method at 38.0 percent. Exclusion fencing, frequent checking, and culling were the next most commonly used methods of preventing cattle and calf losses at 34.0 percent, 21.8 percent, and 19.6 percent respectively.

This report is released as a cooperative effort between the National Agricultural Statistics Service and Animal and Plant Health Inspection Service - Wildlife Services and Veterinary Services.

[Top of Page](#)

Attachment C

Miscellaneous Articles

- *Articles Regarding Feral and Unsupervised Dogs and Livestock and Wildlife Predation in Idaho, Kansas and California**
- *Article Regarding the Inability of Alaska to Enforce the Wolf Dog Ban**
- *MFWP brochure on pets and wildlife**

The Idaho Statesman (Boise, ID)

Idaho Statesman, The (Boise, ID)

September 30, 2007

Feral dogs attack livestock in S. Idaho

Author: Wire reports

Section: Main

Page: 14

Index Terms:

News

Estimated printed pages: 1

Article Text:

burley

Feral dog attacks in southern Idaho have killed or injured about 100 sheep, goats and chickens this month, costing livestock owners thousands and prompting law enforcement agents to warn dog owners to control their animals -- or else risk having them shot.

Dogs attacked livestock in at least six separate incidents since Sept. 4, the Minidoka County Sheriff's Office said. One dog was shot, two others have been tranquilized and captured, Sheriff Kevin Halverson said.

Jesse Rementeria, a rancher, said dogs have killed 18 of his sheep and wounded about 15 more, at a cost of about \$2,000.

reno, nev.

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Record Number: 78366

Livestock Predators Likely to Be Someone's Pet Dog



MANHATTAN, Kan. – Problems with hungry, free-roaming dogs can look like a no-win situation for livestock owners ... and sometimes dog owners, too.

"Other than we humans, the dog is the most widespread and abundant predator in Kansas. Compared to our native coyotes, dogs typically are also more difficult to control or keep from causing injury," said Charles Lee, wildlife specialist with Kansas State University Research

and Extension.

Unlike coyotes, however, dogs that are hunting for themselves may not be truly wild (feral). They may have an owner who provides at least some regular care, Lee said.

"That can really complicate a situation. If someone can locate them, a dog's owners are likely to have real trouble accepting the idea that good ol' Fido is roaming around, stalking livestock," he said. "At the same time, the livestock owner is likely to hesitate about antagonizing neighbors by accusing their dog of being responsible for the attacks – much less by just shooting their pet."

This situation is far from rare.

"The fact is, over the 20-plus years I've spent dealing with dog-livestock conflicts, I've learned that most cases in Kansas, at least, are caused by domestic dogs – ones that have a home and owner," Lee said. "When captured, many of these four-footed trouble makers are calm and may even wag their tail."

With such dogs as the culprits, Kansas law can further raise the tension between pet and livestock owners, he warned. One statute says that if a dog kills, wounds or worries any domestic animal, the dog's owner will be liable for all damages. Another says that anyone at any time can kill dogs found injuring or attempting to injure livestock.

The legal definition of "livestock" in the state includes cattle, swine, sheep, goats, horses, mules, domesticated deer, and all members of the ratiite family that are not indigenous to Kansas (e.g., ostriches, emus, rheas). The definition does not include any wildlife that may be subject to dog attacks, Lee noted.

Feral and Abandoned Dogs Out There, Too

Besides the domestic dogs that roam, Kansas does have actual feral dogs, the wildlife specialist said. They don't rely on humans for anything. They typically respond to capture by crouching, snarling and lunging to bite -- much like a wolf or coyote. Some were born and raised in the wild. Some are survivors that got lost or ran away from home long ago.

A third category of dogs on the loose is the canines that cannot rely on humans any more. They are pets, abandoned by their owner in the country and expected to fend for themselves.

"That kind of thoughtless or misguided abandonment can be fairly common near towns with transient populations -- people who have to move, but can't or won't take their pet along," Lee said.

Abandoned dogs are the least likely to do well in the wild, he warned. They don't have the fall-back position of a home base. They may have a hunter's instincts but won't have the practiced and honed

skills needed to survive in the wild. They also won't know anything about their dangerous new locale.

At best, they may be able to find and to be accepted by a free-roaming dog pack that includes skilled hunters. At worst, they'll starve.

"If they can, abandoned dogs will gravitate toward what they know. After all, they have little fear of humans," Lee said. "So, a number will end up eating from garbage cans, stealing other pets' food, or killing house cats and other pets. Strangely, though, they'll rarely eat all of their prey.

"They'll simply be alley and yard raiders, in danger from humans all of the time."

Devices designed to frighten, capture or kill predators can sometimes be effective in helping owners protect their animals from injuries or even death.

"In town and country both, however, good investigations by local authorities can be even more important," Lee said. "The long-term solution to this problem isn't simply to destroy dogs.

"Sometimes better livestock management can help – such as penning sheep at night. We also need better education for dog owners about their responsibilities. Think about how much trouble we could avoid if owners simply kept their dogs contained – protected from becoming predator or prey – particularly at night."

K-State Research and Extension is a short name for the Kansas State University Agricultural Experiment Station and Cooperative Extension Service, a program designed to generate and distribute useful knowledge for the well-being of Kansans. Supported by county, state, federal and private funds, the program has county Extension offices, experiment fields, area Extension offices and regional research centers statewide. Its headquarters is on the K-State campus, Manhattan.

Story by: Kathleen Ward

kward@ksu.edu

[K-State Research & Extension News](#)

Charles Lee is at 785-532-5734 or cle@ksu.edu.

June 26, 2008
Tri State Observer, PA

RURAL WEST GOING TO THE DOGS

Feral and free-roaming canines wreak havoc on wildlife and livestock

By Troy Anderson

CLAREMONT, CALIF - Jeff Villepique usually carries bear spray when he goes into the mountains. But the California Department of Fish and Game biologist isn't worried about bears as he walks to the edge of a steep, rocky wash near the Mount Baldy Ski Lifts resort in Southern California. On this bone-chilling, misty morning, he's worried about dogs.

Villepique recalls the macabre scene he recently investigated here: the tracks of three or four dogs in the snow, tufts of hair marking where a bighorn ewe was dragged down the talus slope, and the carcass itself -- mangled and missing a leg and a horn. The prime suspects: a Labrador retriever mix Villepique found still gnawing on the evidence, and its partner in crime, a German shepherd mix that watched menacingly from the top of the wash.

"It's a great loss," Villepique says. State and federal agencies in California have spent three decades and a lot of money trying to recover local bighorn populations. But encroaching development and its encroaching pets -- some abandoned and others simply allowed to run free -- are complicating efforts.

Officials have captured hundreds of feral and free-roaming dogs in the San Gabriel and San Bernardino mountains in recent years, especially around Mount Baldy and Lytle Creek. In addition to bighorn sheep, the dogs are hammering rabbits, quail, mule deer and other wildlife.

The story is similar across much of the West, as swelling ranks of rogue canines increasingly harass wildlife, livestock, even people. But most federal efforts to protect big game and livestock are focused on killing wild predators. With limited funds for trapping dogs, local officials like Villepique can do little but try to educate the public.

"I doubt we're even making a dent in what is going on out there," says California-based Forest Service biologist Kathie Meyer.

Wildlife Services -- the federal agency responsible for predator control -- estimates that more than 33 million feral and free-roaming dogs run loose in the United States, biting 5 million people each year and killing about 10 to 15, usually small children. In rural areas, feral and loose pet dogs often form packs that chase down and kill deer, elk, chickens, goats and even cattle.

"People don't understand that Fido on the couch who is normally so friendly will instinctively hurt or chase big game animals," says Tyler Baskfield, spokesman for the Colorado Division of Wildlife.

At Joshua Tree National Park in Southern California, a ranger recently came across three feral dogs feeding on a bighorn carcass. At the nearby U.S. Marine Corps base at Twentynine Palms, officials have received numerous reports of dogs attacking threatened desert tortoises. In Texas, the dogs go after white-tailed deer and ground-nesting birds. But most incidents go unreported, says Villepique. "There is no reason for me to think we know the full extent of this problem."

Many ranchers are quick to blame wolves, coyotes and grizzly bears for harassing or killing their livestock, but wildlife officials say dogs are often the culprits. Cascade, Idaho, rancher Phil Davis is all too familiar with dog trouble.

"The worst time, we had about a half-dozen dogs that packed up," Davis says. "They were chasing steer and causing some headaches. One time, they chased a yearling steer clear into town. He finally gave up and hid in someone's garage."

Dogs are second only to coyotes as sheep killers. In 2004, coyotes killed more than 135,000 sheep nationwide, while dogs slaughtered some 30,000. The dogs "literally tear the hides off the animals, opening up their gut cavities and tearing up their faces," says Peter Orwick, executive director of the Denver-based American Sheep Industry Association.

"Dogs have been our worst nemesis over the last 20 years," agrees Don Watson, owner of Napa Valley Lamb Company in California and Rocky Mountain Woolly Weeders in Loveland, Colo. His sheep dogs -- Great Pyrenees that can weigh up to 120 pounds -- are effective at keeping wild predators like coyotes and mountain lions away. But dogs are relentless, wearing the Great Pyrenees down, chasing the sheep until they can no longer run and then killing them.

"The worst night I ever had, I lost 17 sheep," Watson says, when dogs from a neighboring ranch miles away got into his Napa corral.

Each year, Wildlife Services receives hundreds of requests to trap, poison and shoot feral dogs. Still, the agency devotes most of its resources to killing wild predators. In 2006, the agency killed more than 87,000 coyotes but only 512 dogs. Hundreds more were taken to animal shelters.

In California's San Gabriel and San Bernardino mountains, officials have removed 350 feral and free-roaming dogs over the past 15 years. The dogs are difficult to catch, and trapping has been sporadic at best. Recent U.S. Forest Service budget cuts will further hamper efforts to address the problem.

That leaves local officials like Villepique groping for a solution.

As the sun breaks through the morning mist off Mount Baldy Road, Villepique recalls how the dog he saw feeding on the bighorn carcass fled to a nearby area pocked with cabins. Unable to locate the dog's owner, he plans to work with animal control to help enforce laws that require folks to keep dogs on leashes or behind fences. He is trying to educate local residents and wants stiffer penalties for repeat violators.

And if that doesn't work, there's always the bear spray.

Dogs and Cats

There are millions of stray and feral dogs and cats roaming our country. Feral or stray dogs and cats cause a multitude of problems for both landowners and wildlife, that are compounded by their ability to live long lives and produce large litters. Feral, stray or free-roaming dogs and cats quickly compound the problem because they live long lives and produce large litters. A few feral dogs and cats in an area can quickly turn into hundreds.

Free roaming dogs and cats can, and do transmit new diseases to wildlife. Some states and provinces allow citizens to kill stray cats and dogs if they cause damage or threaten human health and safety.

Control

One of the most important actions you can take to reduce cat and dog problems is to contact neighbors who allow their pets to roam freely. If this does not help, contact your local Animal Control officer, Humane Society, or Animal Shelter. They will be able to help you in controlling or removing nuisance dogs and cats. Report dogs killing wildlife to your local Game Warden, Fish, Wildlife and Parks office, or local law enforcement agency.

Some nuisance cats can be easily caught in live traps. One method is to cover the trap so that the cat will go in to investigate. Another technique is to anchor the trap and put the bait under the trap. The cat will not be able to reach under or into the trap for the bait, but will have to go into the trap to access the bait. Tuna, sardines, and cat food are all good baits but may attract other wildlife. You might want to try using catnip as bait. Once trapped, you can turn the cat over to your animal control officer, humane society, or animal shelter.

For Further Information

Audubon, Cats Indoors. Website: <http://www.audubon.org/bird/cat/index.html>.

A Catastrophe for Birds. Website: <http://www.ncal.verio.com/~nsn/acatastrophe.html>.

Cat Indoors! Website: <http://www.batnet.com/wildlife/education.html>.

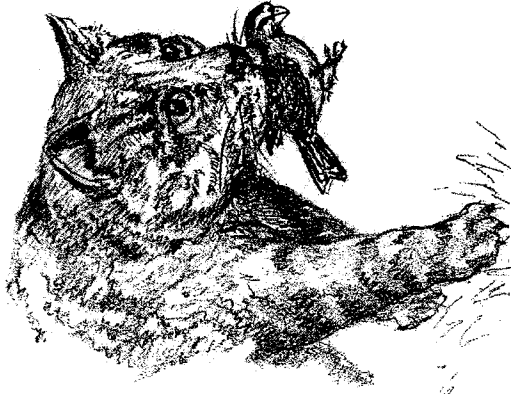
Facts on Cats and Wildlife: A Conservation Dilemma. University of Maine, Bulletin 7148. Website: http://www.wildlifesolutionsonline.com/publications/feral_cats_3.pdf.

Keep Your Cat Indoors! Website: <http://www.oaklandspca.org/cats/indoorcats.html>.

Nuisance Animals. 1997. John Trout, Jr. Midwest Publishing, Tennyson, IN.

Prevention and Control of Wildlife Damage. 1994. Cooperative Extension Division. Institute of Agriculture and Natural Resources. University of Nebraska, Lincoln, NE.

Living With Dogs & Cats



WHEN GOOD PETS GO BAD!

Free-ranging dogs and cats cause a multitude of problems for landowners and wildlife. Too many people allow their dogs and cats to come and go as they please. They obviously have no idea how damaging these pets are to wildlife.



www.fwp.state.mt.us



*Montana Fish,
Wildlife & Parks*

www.fwp.state.mt.us

DOGS

Dogs allowed to run free will often band together to form a pack. Dogs still have the ancient instincts of their wolf ancestors and these instincts are revived when dogs "pack" or are in the presence of "prey." The best family dog can revert to an aggressive predator of wildlife. Dogs in packs will attack livestock, other pets, wildlife, and people. When dogs kill, they seldom go for the throats or do an efficient job. Dogs often attack from the rear, badly mangling their victims as they tear at the hind legs to bring down their prey.

With the exception of using trained or controlled dogs to chase or herd away game animals to protect humans, lawns, gardens, livestock, or agricultural products: "...any peace officer, game warden, or other person authorized to enforce the Montana fish and game laws who witnesses a dog chasing, stalking, pursuing, attacking, or killing hooved game animals may destroy that dog, on public land or on private land at the request of the landowner, without criminal or civil liability." (SB 104, 2001 Legislature)



In some areas of Montana, dogs may be one of the chief predators of deer. Dogs kill deer, antelope and their fawns, moose and elk calves, small mammals, and other wildlife. The impacts of free roaming dogs on wildlife may include harassment, injury, or death. Although not wildlife, a report from the National Agricultural Statistics Service showed that dogs killed 40,325 sheep/lambs in the U.S. in 1994 and approximately 21,800 cattle in 1995, attesting to their latent killer instincts.

"...a person who purposely, knowingly, or negligently permits a dog to chase, stalk, pursue, attack, or kill hooved game animals is guilty of a misdemeanor and is subject to the penalty in 87-1-102(1). If the dog is not under the control of an adult at the time of the violation, the owner of the dog is personally responsible. A defense that the dog was allowed to run at large by another person is not allowable, unless it is shown that at the time of the violation the dog was running at large without the consent of the owner and that the owner took reasonable precautions to prevent the dog from running at large." (SB 104, 2001 Legislature)

All dogs should be fenced on a leash or under control at all times!



CATS

Numerous studies have shown that free-roaming domestic cats are significant predators of birds and other wildlife. A study at the University of Wisconsin found that a rural cat's diet may contain **35 percent songbirds**. In this four-year study, it was estimated that rural cats in Wisconsin killed an estimated **39 million birds each year**. Other figures vary, but it has also been estimated that cats in the U.S. kill between **4 and 5 million birds everyday** and a **billion small mammals each year**.

Other cat studies over the past 50 years have shown that a cats' prey is made up of:

- **60-70 percent small mammals,**
- **20-30 percent birds, and**
- **10 percent other animals such as reptiles, amphibians, and insects.**



Even when well-fed, cats will continue to hunt and kill birds and other wildlife. Observations of free roaming cats show that an individual cat is capable of killing over 1,000 wild animals per year. Cats will catch birds and other wildlife and play with them rather than killing them outright. Domestic cats don't kill to eat; they pursue their natural instincts as hunters and predators for entertainment. Declawing a cat does not stop it from killing wildlife.

Ground-nesting birds are very susceptible to free-roaming cats. So are young birds that leave above ground nests and spend a few days on the ground learning to perfect their flying skill.

Belling the Cat

Putting bells on cats doesn't work. Cats stalk slowly and often wait in ambush to catch their prey. There is no time for the bird to escape when it hears the bell – if it hears the bell. Birds and other wildlife do not associate bells with being stalked.

All cats should be kept indoors and not allowed to roam!

The Pet Food Institute estimates that there are at least 65.8 million pet cats in the U.S., and another survey indicates that only a little over half of these are kept indoors.



Ban on Wolf Hybrids Tough to Enforce State Finds: Biology Stands in Way of Hybrid Wolf Ban*

By S. J. Komarnitsky, Anchorage Daily News

PALMER - A canine-identity problem is confounding state wildlife officials trying to enforce a ban against owning, selling and breeding wolf hybrids.

Worried that hybrids are dangerous to humans and threaten native wolf populations, the state Fish and Game Department asked the Alaska Board of Game last year to specifically outlaw hybrids. The board voted unanimously to do so.

The state hoped there would be a genetic test that would distinguish between wolves and their hybrid cousins, said Wayne Regelin, director of the state Division of Wildlife Conservation.

But there was a problem. There's apparently no way to tell, at least no way definite enough to hold up in court.

They are too similar genetically, said Keith Roehr, a Colorado veterinarian who spent four months on a committee studying the issue of canine hybrids for the Colorado legislature.

Many of the same genetic markers found in dogs like malamutes and German shepherds, which have wolf ancestry, also turn up in modern wolves, he said.

"There's a lot of differences," he said. "But nothing you can hang your hat on."

Even in cases where people advertised wolf hybrids, states have been unable to enforce the law.

"A lot of people, at the advice of their lawyer, would say, 'Oh, I thought it was hybrid, but I found out this was a malamute,'" he said. "The case would fall flat."

No one knows exactly how many wolf hybrids there are in Alaska, but state officials estimate they could number in the thousands, including those kept for pets and sled dog teams. At least one business, Wolf Country USA in Palmer, advertises wolf hybrids for sale.

Wildlife officials say owning a wolf hybrid has always been illegal in Alaska.

But the law was not clear until the Game Board adopted the new regulation, which specifically added hybrids to the category of banned animals.

Before that, officials considered hybrids off-limits because they were not on a list of about 70 animals like cats, guinea pigs and goats that are allowed to be kept in the state.

Regelin said, "We didn't want people to say that the law doesn't really say hybrids are illegal when that's the intent."

But so far nobody, including those responsible for enforcing the law, has figured out how to implement it, even when kennels openly advertise hybrids.

"We're looking at it," said Col. John Glass, director of the state Division of Fish and Wildlife Protection. "But it's going to be tough to do."

Glass said so far there's been little done to try enforce the law in Alaska and he doesn't expect there to be much.

"We've got bigger issues out there," he said.

Both Wolf Country USA and another operation, Wolf Safari, have been notified of the new law, Glass said. Wolf Country USA has sent a letter to the state saying the law is too vague to be enforced, he said.

There's little middle ground when it comes to wolf hybrids. Supporters say they make safe pets, are more intelligent than dogs and if treated correctly are more loyal.

Mark Whatley, a Wasilla-area resident who owns two hybrids as well as two dogs - a malamute and a chow mix - said his hybrids are like members of the family.

"There's a lot of love and emotion that comes back from the animal, and there's a lot of understanding," he said.

They are more work though, he said, and he doesn't recommend them for everyone. They're more aloof and need a strong hand to show them who is boss, he said. They also need someone who is going to be at home.

"You can't be single or working all day," he said.

But detractors say hybrids are dangerous and often not trained well. And whereas wolves are timid and shy, hybrids tend to be braver around humans and are more known to attack than wolves.

Werner Schuster, who runs Wolf Country USA with his wife, Gail, said he considers his animals as safe as any dog.

"You have to see our puppies here," he said. "They'll just lick you to death. They're friendly, friendly, friendly."

The two have run the facility just off the Glenn Highway for 12 years and have sold hundreds of hybrids, he said. He said they currently have about 85 hybrids, including a couple dozen puppies.

"They're the same as sled dogs," he said. He said he doesn't advertise them as sled dogs because "they sell better as wolf hybrids."

February 6, 2009

New World Wolves and Coyotes Owe Debt to Dogs

By MARK DERR

In a bit of genetic sleuthing, a team of researchers has determined that black wolves and coyotes in North America got their distinctive color from dogs that carried a gene mutation to the New World.

The finding presents a rare instance in which a genetic mutation from a domesticated animal has benefited wild animals by enriching their "genetic legacy," the scientists write in Thursday's Science Express, the online edition of the journal Science. Because black wolves are more common in forested areas than on the tundra, the researchers concluded that melanism — the pigmentation that resulted from the mutation — must give those animals an adaptive advantage.

Although common in many species, melanism in dogs follows a unique genetic pathway, said Dr. Gregory S. Barsh, a professor of genetics and pediatrics at the Stanford University School of Medicine and the senior author of the paper.

Last year, Dr. Barsh and his laboratory identified a gene mutation responsible for the protein beta-defensin 3, which regulates melanism in dogs. After finding that the same mutation was responsible for black wolves and black coyotes in North America, and for black wolves from the Italian Apennines where wolves have recently hybridized with free-ranging dogs, the researchers set out to discover where and when the mutation evolved.

Comparing large sections of wolf, dog and coyote genomes, Dr. Barsh and his colleagues concluded that the mutation arose in dogs 12,779 to 121,182 years ago, with a preferred date of 46,886 years ago. Because the first domesticated dogs are estimated to date back just 15,000 to 40,000 years ago in East Asia, the researchers said that they could not determine with certainty whether the mutation arose first in wolves that predate that time, or in dogs at an early date in their domestication.

Robert K. Wayne, an evolutionary biologist at the University of California, Los Angeles, who studies canine evolution and is a co-author on the Science paper, said in an interview that he believed the mutation occurred first in dogs. But even if it arose first in wolves, he said, it was passed on to dogs who brought it to the New World and then passed it to wolves and coyotes soon after their arrival.

Dr. Wayne and his colleagues have dated the presence of dogs in Alaska to about 14,000 years ago and are now checking ancient dog remains from across the Americas for the mutation.

The researchers concluded that the mutation is subject to positive selection, meaning that it serves some adaptive purpose. Cross-breeding produces offspring with one set of genes from each parent, in this case a dog and a wolf. If all subsequent breeding takes place among wolves, the dog genes eventually vanish, unless one or more of them helps the organism survive.

Scientists have not yet identified the mutation's purpose, but they suggested that its association with forested habitats meant the prevalence of melanism should increase as forests expand northward.

In an interview, Dr. Barsh observed that beta-defensin is involved in providing immunity to viral and bacterial skin infections, which might be more common in forested, warmer environments.

Marc Bekoff, a behavioral ethologist from the University of Colorado, who was not involved in the project, said more work was needed to show what adaptive advantage black coats might provide. But, Dr. Bekoff added, "This is an important paper that among other things should make us revisit and likely revise what we mean by a 'pure' species."

Attachment D

Montana Dog Laws

Montana Gray Wolf Program

Montana Dog Laws

81-7-401. Killing of dogs harassing, destroying, or injuring stock -- notice to owner -- penalty. (1) As used in this section, "harasses" means worries, chases, or runs after livestock, including ostriches, rheas, and emus, in a manner that may lead to subsequent injury to the livestock.

(2) A dog, whether licensed or not, that, while off the premises owned or under control of its owner and on property owned, leased, or controlled by the livestock owner, harasses, kills, wounds, or injures livestock not belonging to the owner of the dog is considered a public nuisance and:

(a) may be killed immediately by the owner of the livestock or an agent or employee of the owner; or

(b) the owner of the dog, when reasonably notified after due process, shall kill the dog within 24 hours of notification. If the owner fails to do so, an officer may be notified and shall kill the dog or cause the dog to be killed.

(3) A dog may not be killed in a manner that will endanger a person.

(4) This section does not apply to a dog herding livestock under the direction of its owner or the agents or employees of its owner.

(5) This section does not apply to a dog engaged in legitimate sport hunting or predator control activities under the direction of its owner or the agents or employees of its owner.

(6) The owner of a dog that harasses, kills, wounds, or injures livestock is guilty of a misdemeanor and upon conviction shall be fined not more than \$500.

History: En. Sec. 1, Ch. 142, L. 1933; re-en. Sec. 3417.15, R.C.M. 1935; R.C.M. 1947, 46-1916; amd. Sec. 1, Ch. 106, L. 1993; (6)En. Sec. 2, Ch. 106, L. 1993; amd. Sec. 12, Ch. 206, L. 1995.

81-7-402. Liability of owner of dog for damages to livestock or poultry. (1) The owner of livestock or poultry injured or killed by any dog may recover as liquidated damages from the owner of the dog the actual value of the animals killed or the value of the damages sustained by reason of the injuries as the case may be. If two or more dogs kept by two or more owners or keepers injure or kill any livestock or poultry at the same time, the owners or keepers of the dogs are jointly and severally liable for such damages. It is no defense to the action that the owner or keeper of the dog had no knowledge of the dog's whereabouts at or prior to the time when the dog injured or killed livestock or poultry or that the owner or keeper of the dog had no knowledge of the dog's disposition or inclination to worry, kill, or injure livestock or poultry.

(2) The word "owner" when used in this section in relation to property interest in or possession of dogs includes every person who owns, harbors, or keeps a dog.

History: En. Secs. 14, 15, Ch. 280, L. 1959; R.C.M. 1947, 16-4614, 16-4615; amd. Sec. 8, Ch. 14, L. 1979.

81-7-403. Dogging livestock. Any person who permits or directs any dog owned by him or in his possession to chase or run any cattle or other livestock of which he is not the owner or the person in charge upon the open range or government lands or away from any watering place upon the open range is guilty of a misdemeanor and punishable by a fine of not more than \$500.

History: En. Sec. 1, Ch. 110, L. 1903; re-en. Sec. 8861, Rev. C. 1907; re-en. Sec. 11552, R.C.M. 1921; re-en. Sec. 11552, R.C.M. 1935; Sec. 94-3567, R.C.M. 1947; redes. 46-3001 by Sec. 29, Ch. 513, L. 1973; amd. Sec. 56, Ch. 12, L. 1977; R.C.M. 1947, 46-3001; amd. Sec. 3, Ch. 106, L. 1993.

Local Government Control of Dogs

7-23-101. Dog collar and license tag required. It is unlawful, when part 21, 7-23-4103, and this part apply, for any person to own, harbor, or keep any dog over the age of 5 months or to permit a dog owned, harbored, or controlled by the person to run at large unless the dog has attached to its neck a substantial collar on which is fastened a license tag issued by the authority of a county or a municipal corporation for the purpose of identifying the dog and designating the owner. It is lawful to remove the collar and license tag when the dog is under the immediate control of its owner or the owner's agent.

7-23-102. Seizure and impounding of dogs running at large without tag. A dog found running at large without a valid current dog license tag issued by the authority of a county or municipal corporation pursuant to the provisions of part 21, 7-23-4103, and this part may be seized and impounded by any sheriff, deputy sheriff, police officer, game warden, county poundmaster, or other law enforcement officer.

7-23-104. Violations. Violation of any provision of this part shall constitute a misdemeanor.

County Control of Dogs

7-23-2108. County control of dogs. (1) The governing body of the county may regulate, restrain, or prohibit the running at large of dogs by the adoption of an ordinance which substantially complies with the provisions of 7-5-103 through 7-5-107 and which may provide for the wearing of a license tag upon the collar of the dog and the keeping of a record which will establish the identity of the person who owns, keeps, or harbors the dog.

(2) Violation of an ordinance adopted under subsection (1) is a misdemeanor.

(3) The county governing body is authorized to impound, sell, kill, or otherwise destroy dogs found at large contrary to ordinances.

(4) Nothing in this section restricts the governing body from enacting dog control measures in a portion of the county only.

7-23-2109. Vicious dog control. (1) The county governing body may regulate, restrain, control, kill, or quarantine any vicious dog, whether such dog is licensed or unlicensed, by the adoption of an ordinance which substantially complies with the provisions of 7-5-103 through 7-5-107.

(2) A violation of any ordinance established as provided in subsection (1) is a misdemeanor.

(3) For purposes of this section, a "vicious dog" is defined as one which bites or attempts to bite any human being without provocation or which harasses, chases, bites, or attempts to bite any other animal. The term "animal" includes all livestock and any domestic pet.

Municipal Control of Dogs

7-23-4101. Control of animals running at large. The city or town council has power to regulate, restrain, or prohibit the running at large of horses, cattle, swine, sheep, goats, and dogs

or other animals and to authorize the impounding and sale thereof if found at large contrary to ordinances.

7-23-4102. Licensing of dogs. The city or town council has power to license the keeping of dogs and to provide for the killing or destruction thereof if found running at large without license.

7-23-4103. Relation of municipal dog license tags to other laws. Any dog license tag issued annually by any municipal corporation pursuant to an ordinance which substantially complies with parts 1 and 21 and which provides for the wearing of the license tag upon the collar of the dog and the keeping of a record which will establish the identity of the person who owns, keeps, or harbors the dog constitutes compliance with the licensing provisions of parts 1 and 21.

7-23-4104. Cruelty to animals. The city or town council has power to prohibit and punish cruelty to animals.

Additional Liability Laws:

27-1-715. Liability of owner of vicious dog. (1) The owner of any dog which shall without provocation bite any person while such person is on or in a public place or lawfully on or in a private place, including the property of the owner of such dog, located within an incorporated city or town shall be liable for such damages as may be suffered by the person bitten regardless of the former viciousness of such dog or the owner's knowledge of such viciousness.

(2) A person is lawfully upon the private property of such owner within the meaning of this section when he is on such property in the performance of any duty imposed upon him by the laws of this state or by the laws or postal regulations of the United States of America or when he is on such property as an invitee or licensee of the person lawfully in possession of the property.

Fish and Wildlife Restrictions and Regulations

87-3-124. Dogs -- restrictions on hunting -- penalty for chasing hooved game animals. (1) (a) Except as provided in 87-3-127 and subsections (2) and (3) of this section, a person may not chase with a dog any of the game or fur-bearing animals as defined by the fish and game laws of this state.

(b) A person may take game birds during the appropriate open season with the aid of a dog. Any person or association organized for the protection of game may run field trials at any time upon obtaining written permission from the director.

(c) Except as provided in subsection (2), any peace officer, game warden, or other person authorized to enforce the Montana fish and game laws who witnesses a dog chasing, stalking, pursuing, attacking, or killing hooved game animals may destroy that dog, on public land or on private land at the request of the landowner, without criminal or civil liability.

(d) Except as provided in subsection (2), a person who purposely, knowingly, or negligently permits a dog to chase, stalk, pursue, attack, or kill hooved game animals is guilty of a misdemeanor and is subject to the penalty in 87-1-102(1). If the dog is not under the control of an adult at the time of the violation, the owner of the dog is personally responsible. A defense that the dog was allowed to run at large by another person is not allowable, unless it is shown that at the time of the violation, the dog was running at large without the consent of the owner

and that the owner took reasonable precautions to prevent the dog from running at large.

(2) A person may use trained or controlled dogs to chase or herd away game animals or fur-bearing animals to protect humans, lawns, gardens, livestock, or agricultural products, including growing crops and stored hay and grain. The dog may not be destroyed pursuant to subsection (1)(c).

(3) (a) A person may hunt mountain lions during the winter open season, as established by the commission, with the aid of a dog or dogs.

(b) A person may hunt bobcats during the trapping season, as established by the commission, with the aid of a dog or dogs.

(c) A resident who possesses a Class D-3 resident hound training license may pursue mountain lions and bobcats with a dog or dogs during a training season from December 2 of each year to April 14 of the following year.

Current law regarding wolf hybrids:

87-1-231. Tattooing of bears, wolves, tigers, mountain lions, or coyotes -- when required -- penalty. (1) Any bear, wolf, tiger, mountain lion, or coyote that is captured alive to be later released or which is held in captivity for any purpose must be reported to the department within 3 days of the capture or commencement of captivity. If a person capturing or holding in captivity such animal fails to report an animal as required by this section, such failure is a misdemeanor punishable as provided in 87-1-102.

(2) Each animal reported as required in subsection (1) shall be permanently tattooed or otherwise permanently identified in a manner that will provide positive individual identification of such animal. No tattoo is required under this section if the animal is subject to a permanent, individual identification process by another state or federal agency.

(3) Any person holding a bear, wolf, tiger, mountain lion, or coyote in captivity shall immediately report to the department any death, escape, release, transfer of custody, or other disposition of such animal.

87-1-232. Tattoo records. (1) The department shall maintain a record of each animal reported to it pursuant to 87-1-231. The record shall indicate:

- (a) the person by whom the animal was captured or is held in captivity;
- (b) the location of the capture or captivity;
- (c) the date the animal was tattooed;
- (d) the purpose of the captivity or capture; and
- (e) any death, escape, release, transfer of custody, or other disposition of such animal.

(2) The department shall establish by rule a fee to be charged, which may not exceed the administrative cost of maintaining the record required by this section.

87-1-233. Compensation for damage caused by animal held in captivity. If any bear, wolf, tiger, mountain lion, or coyote that is held in captivity or that escapes from such captivity causes any damage to the personal property of another person, compensation for such damage must be paid by the person holding or who held the animal in captivity.

87-1-234. Exceptions to tattoo and compensation requirements. Sections 87-1-231 through 87-1-233 do not apply to those animals:

- (1) captured and released as part of an ongoing game management program or an ongoing predator control program unless such animals have been involved in livestock killing; or
- (2) captured and released as part of a scientific, educational, or research program as certified by the department.

History: En. Sec. 4, Ch. 566, L. 1985.

SUB-CHAPTER 19 -- REPORTING AND TATOOING OF BEARS, WOLVES, TIGERS, MOUNTAIN LIONS, AND COYTOES CAPTURED OR HELD IN CAPTIVITY (ADMINISTRATIVE RULES OF MONTANA)

12.6.1901 DEFINITIONS For purposes of this rule the following definitions apply:

- (1) "Bear" means a member of any species of the genus *Ursus*.
- (2) "Coyote" means a member of the species *Canis latrans*, including any canine hybrid which is one-half or more coyote.
- (3) "Mountain lion" means a member of the species *Felis concolour*.
- (4) "Tiger" means a member of the species *Felis tigris*.
- (5) "Wolf" means a member of the species *Canis lupus*, including any canine hybrid which is one-half or more wolf.

12.6.1902 REPORT OF CAPTURE OR CAPTIVITY-PENALTY (IS HEREBY REPEALED)

12.6.1903 TATTOOING

(1) Except as provided in ARM 12.6.903 (5), each animal reported as required by ARM 12.6.1902 shall be permanently tattooed with an identifying number assigned by the department, within 15 days after the assignment of the number.

(2) Assigned numbers shall be tattooed on the inside of the left thigh, 6 inches or less from the abdomen. The tattoo shall be indelible and read from left to right as viewed from the animal's feet. Numbers or letters shall be no less than 3/8 inch in height on coyotes and 1/2 inch in height on bears, mountain lions, tigers and wolves.

(3) The tattoo shall be certified by either a veterinarian or a department employee.

(4) The department may permit ear tags or ear tattoos to be used as permanent identification of animals born and kept in captivity if the owner or breeder certifies to the department that the animals are intended to be slaughtered for their pelage prior to the age of one year. Any animals identified with ear tags or ear tattoos that are not slaughtered prior to the age of one year must be reported and tattooed as provided in ARM 12.6.1902(1) and 12.6.1903(1) respectively.

12.6.1904 FEES

The fee for reports to the department under ARM 12.6.1902 is:

(1) \$ 10 for each animal, except that multiple young born in captivity may be registered as a single animal if the owner or breeder certifies to the department that the animals are intended to be slaughtered for their pelage prior to the age of one year;

(2) if six or more animals (other than multiple young born in captivity), are reported at the same time, \$ 10 each for the first five animals, and thereafter \$ 5 per animal, not to exceed a total of \$ 200.

12.6.1905 EXCEPTIONS (IS HEREBY REPEALED)

Montana Gray Wolf Program

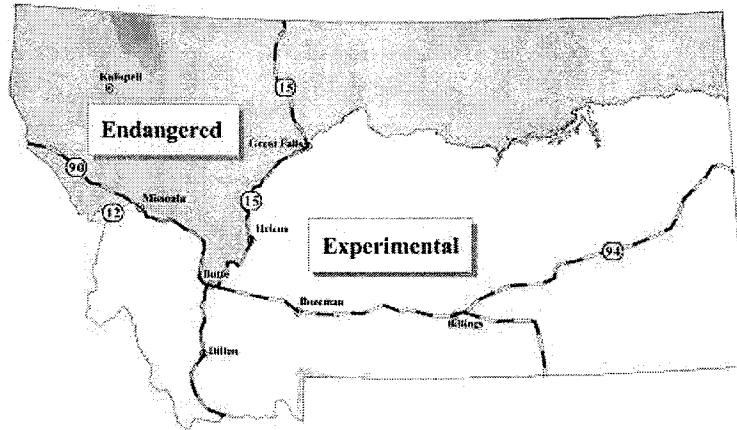


Montana Fish,
Wildlife & Parks

www.fwp.mt.gov/wildthings/wolf



Interim Montana Wolf Management Areas



Regulations for Endangered Wolves, north of:

Highway 12 (west of Missoula) to I-90; I-90 to I-15; I-15 to the Missouri River at Great Falls;
Missouri River to North Dakota

Private Citizens

Citizens are not allowed to harass or kill wolves on private lands or federal lands. Citizens are encouraged to contact Montana Fish, Wildlife & Parks and USDA Wildlife Services to learn more about wolves in the area and about proactive ways to discourage wolves from harassing or killing livestock.

Anyone can kill a wolf in self defense or defense of another person. Report the incident to FWP within 24 hours.

State and Federal Agencies

Montana Fish, Wildlife & Parks has the primary responsibility to monitor the wolf population and works with private landowners to provide technical assistance on proactive ways to decrease the risk of wolf-caused losses.

USDA Wildlife Services has the primary responsibility to investigate cases of suspected wolf depredation. Contact them if you suspect a wolf-caused loss.

Both agencies actively work to reduce the potential for losses and to resolve wolf-livestock conflicts where and when they occur using a variety of non-lethal and lethal management tools. All conflict harassment and lethal control is carried out by agency personnel.

Compensation

Montana has its own Livestock Loss Reimbursement and Mitigation Program to reimburse verified wolf losses. Contact the program coordinator at 406-444-5609 to learn more.



Regulations for Experimental Wolves, south of:

**Highway 12 (west of Missoula) to I-90; I-90 to I-15; I-15 to the Missouri River at Great Falls;
Missouri River to North Dakota (outside of National Parks)**

Livestock Producers and Private Landowners

Landowners, their immediate family members, or their employees can kill a wolf that is biting, wounding or killing or a wolf that is seen actively chasing, molesting or harassing livestock, livestock herding or guarding animals, or domestic dogs (any breed):

- no permit is required
- report the incident to Montana Fish, Wildlife & Parks (FWP) within 24 hours
- physical evidence of the wolf attack or that an attack was imminent is required (injured or dead livestock, broken fences, trampled vegetation and wolf sign)

Lease holders on private land (for livestock grazing or hunting purposes) could also kill a wolf that is biting, wounding or killing or a wolf that is actively chasing, molesting or harassing livestock, livestock herding or guarding animals, or domestic dogs.

Anyone can non-injuriouly harass wolves that are too close to livestock, herding or guarding animals, or domestic dogs (all breeds). No permit is required. Report the incident to FWP within 7 days.

Private land includes all non-federal lands: fee title, state/county lands, and lands within tribal reservations.

Livestock = cattle, sheep, horses, mules, goats, domestic bison, and herding and guarding animals (llamas, donkeys, and certain breeds of dogs commonly used for herding or guarding livestock).

Livestock Producers On Federal Land

Livestock producers or outfitters/guides with an active federal use permit that includes or requires livestock use may kill a wolf that is seen biting, wounding or killing or a wolf that is seen actively chasing, molesting or harassing livestock or livestock herding or guarding animals or domestic dogs on their active allotment:

- no permit is required
- report the incident to FWP within 24 hours
- physical evidence of the wolf attack or that an attack was imminent is required (injured or dead livestock, broken fences, trampled vegetation and wolf sign); wolves can not be intentionally baited, fed or deliberately attracted

Anyone can kill a wolf in self defense or defense of others. Report the incident to FWP within 24 hours.

Private Citizens and Recreationists on Public or Private Land

Individuals may non-injuriouly haze or harass a wolf that is too close or kill a wolf that is actively chasing, molesting, harassing, biting, wounding, or attacking their stock animals or domestic dogs (any breed):

- no permit is required
- report the incident to FWP within 24 hours
- physical evidence of the wolf attack is required (injured or dead stock animals or domestic dogs; disturbed area where the attack occurred) that would lead a reasonable person to conclude the attack was imminent; wolves can not be intentionally baited, fed, or deliberately attracted

Stock Animals = horse, mule, donkey, llama, or goat used to transport people or their possessions

Anyone can kill a wolf in self defense or defense of others. Report the incident to FWP within 24 hours.